

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1242 of 2019

- Shushil Kumar Sonkar S/o Shri Manharan Lal Sonkar Aged About 38 Years R/o Bajrang Chouk, Ward No. 02, Kumhari, Police Station Kumhari, Tahsil And District Durg Chhattigarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Rajhara, District Balod Chhattisgarh.

---- Respondent

For Applicant	: Mr. Tarun Dansena, Advocate.
For Respondent/State	: Ms. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

11/11/2019

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 134/2016, registered at Police Station Rajhara, Distt. Balod (C.G.) for the offence punishable under Section 420, 406, 467, 468, 120-B 34 of the IPC, Section 3, 4, 5 of C.G. Nishchhepko Adhiniyam 2015 and Section 58 F of RBI Act 1934.
2. As per prosecution story, the applicant who is one of the agents of the company namely JSB Real India Infra Company Limited in connivance with other directors and agents have collected huge amounts from various depositors by alluring them to return their money with high rate of interest. It is alleged that no refund was made to the depositors. A report has been lodged by one of the

depositors namely Indrajeet Sahu. On the basis of said report, offence has been registered.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant neither the director nor he was agent of the said company. He only worked for two days as a daily wage employee in the said company. Prima Facie no offence can be made out against him. He further submits that the other co-accused persons have already granted benefit of bail and the charge-sheet of the case has already been filed. He finally submits that the applicant is a reputed person of his society, he is permanent resident of above mentioned address and there is no chance of his absconding, therefore, he may be granted benefit anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and further considering the fact that the other co-accused persons have already granted benefit of bail and the charge-sheet of the case has already been filed. Without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer

as and when required;

- II. The accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge